

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

EDGAR L. NEELY, )  
v. )  
Plaintiff. )  
v. )  
OZANAM, a Missouri Non-Profit )  
Corporation, )  
Defendant. )  
Case No. 04-1103-CV-W-GAF

## ORDER

Presently before the Court is a Motion to Dismiss filed by the Defendant, Ozanam, a Missouri Non-Profit Corporation (“Ozanam”). (Doc. #8). Ozanam argues that this action should be dismissed because the Plaintiff, Edgar L. Neely (“Neely”), failed to comply with Fed. R. Civ. P. 8(a)(2) and (3). (Doc. #9). Pursuant to Fed. R. Civ. P. 8(a)(2) and (3), Neely’s complaint must contain “a short and plain statement of the claim showing that the pleader is entitled to relief” and “a demand for judgment for the relief the pleader seeks.”

Recognizing that Neely was attempting to represent himself, the Court ordered Neely to amend his complaint to assert the facts supporting the prima facie elements of his claim and to demand the relief he seeks. (Doc. #25). The Court informed Neely that if he failed to amend his complaint, Neely's cause of action would be dismissed pursuant to Fed. R. Civ. P. 12(b)(6). Id. Neely was ordered to amend his complaint within fifteen (15) days of the date of the Order. Id. Neely has failed to respond to this Order.

Accordingly, it is ORDERED that Ozanam's Motion to Dismiss is hereby GRANTED.

**IT IS SO ORDERED.**

/s/ Gary A. Fenner  
GARY A. FENNER, JUDGE  
United States District Court

DATED: June 16, 2005